

2877



PATENT
5126/CPS/IBSS
7828.7047

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
SCHAUER
Serial No.: 10/033,714
Filed: December 28, 2001

) Examiner: Not assigned
)
) Art Unit: 2877
)

For: OPTICAL MEASUREMENT APPARATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Dear Sirs:

In accordance with 37 CFR §§ 1.56, 1.97, and 1.98, enclosed please find Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application.

A. Non-English Language References

- ☒ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

- B. ☒ The information disclosure statement submitted herewith is being filed
- 1) within three months of the filing date of a national application other than a continued prosecution application under 1.53(d);

- 2) within three months of the date of entry into the national stage as set forth in 1.491 in an international application;
 - 3) before the mailing date of a first Office Action on the merits; or
 - 4) before the mailing date of a first Office Action after filing of a Request for Continued Examination under 1.114.
- C. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph B, but before the mailing date of a final action under 1.113, a Notice of Allowance under 1.311, or an action otherwise closing prosecution, and is accompanied by:
- 1) a Statement under 1.97(e); or
 - 2) a fee of \$180 as set forth in 1.17(p).
- D. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph C, but before payment of the issue fee, and is accompanied by:
- 1) a Statement under 1.97(e); and
 - 2) a fee of \$180 as set forth in 1.17(p).

STATEMENT UNDER 1.97(e)

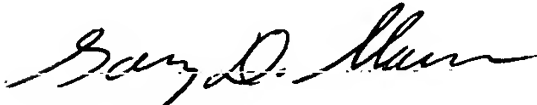
I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information

disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

If required under paragraph B or C *supra*, enclosed is Applicant's check in the amount of \$180 as set forth in 1.17(p). Please charge any insufficiency or credit any overpayment to Deposit Account No. 50-0585. A duplicate of this letter is enclosed for fee processing.

Respectfully submitted,



Gary D. Mann
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June 20, 2003
Date

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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

 6/20/03
Gary D. Mann (Date)



FORM PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

7047

Docket Number (Optional)
5126/CPSApplication Number
10/033,714Applicant
SCHAUERFiling Date
December 28, 2001Group Art Unit
2877**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	Translation	
												YES	NO
✓ 1	1	5	8	5	7	1	11-28-01	EP				full	
✓ 10	0	7	9	4	2	0	3-24-98	JP				abs	
✓ 10	1	5	4	7	4	4	6-9-98	JP				abs	
✓ 2001	1	1	6	5	3	6	4-27-01	JP				abs	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

✓	PCT/US02/40503 International Search Report issued 6/10/03

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.